



State of New Mexico
House of Representatives
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Minimum Wage Subcommittee

October 23, 2007

Chairman Kevin J. Martin
Commissioner Michael J. Copps
Commissioner Jonathan S. Adelstein
Commissioner Deborah Taylor Tate
Commissioner Robert M. McDowell
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Dear Chairman Martin and Commissioners Copps, Adelstein, Tate and McDowell:

We write to voice our opposition to the FCC's recent Notice of Proposed Rulemaking (NPRM) prohibiting exclusive contracts between apartment buildings and cable companies. Outlawing these contracts would undercut minority communities' ability to wring favorable conditions from cable companies by leveraging the collective bargaining power naturally created by blocks of tenants living in apartment buildings.

The African American community certainly understands the power of standing together to achieve what we never could by working alone. Whether that means joining forces to eliminate housing discrimination or negotiate a better deal for telecommunications services, the organized tactics and the goal of securing a fair shake for minority communities are much the same.

However, the FCC's NPRM regarding exclusive deals between apartment buildings and cable operators would severely hamper our ability to use collective clout to earn better deals for cable and broadband services. Competition between cable operators for these exclusive contracts is stiff; they're often willing to significantly lower their prices and offer better customer service in return for the security that comes along with exclusivity.

Without the price breaks created by exclusive contracts, many minority residents

living in apartments in city centers simply wouldn't be able to afford cable service or broadband Internet. Prohibiting these contracts could force minorities in rented housing to drop cable and Internet services at an alarming pace, enlarging the digital divide.

Strangely, the FCC has opposed these contracts in the name of increasing competition and bringing lower prices to consumers. However, nowhere in the NPRM does the Commission seem to consider the negative effects that prohibiting exclusive contracts will likely have on minority communities; nor does the Commission specifically ask our communities for input. Instead, the Commission has taken the patronizing stance that it knows best when it comes to the interests of apartment residents, apparently without even asking them for their opinion.

We urge the FCC to take a step back and consider the potential negative consequences for the African American community of the Commission's planned prohibition of exclusive contracts between cable operators and apartment buildings. Our community stands to lose significant savings and services if the FCC unilaterally cancels these contracts.

Sincerely,

A handwritten signature in cursive script that reads "Sheryl Williams Stapleton".

Representative Sheryl Williams Stapleton

CC: Chairman Inouye, Senate Committee on Commerce, Science, and
Transportation
Ranking Member Stevens, Senate Committee on Commerce, Science, and
Transportation
Chairman Dingell, House Committee on Energy and Commerce
Ranking Member Barton, House Committee on Energy and Commerce